<u>REMARKS</u>

This is an amendment and remarks filed in response to the Office Action dated September 17, 2009. No new matter has been added.

I. **OBJECTIONS**

Claim 95 has been amended to correct an informality by adding "for" in "a method for providing...."

Claim 109 is listed as cancelled because it was inadvertently omitted from the previous listing of the claims.

II. **35 USC §103**

Claims 95-97 and 100-107 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Pat. Pub. No. 2002/0073034 ("Wagner") in view of U.S. Pat. No. 6,401,075 ("Mason"). Claims 98-99, 108, and 110-111 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Wagner in view of Mason and further in view of Official Notice. Claims 112-114 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Wagner in view of Mason and further in view of Davis. Claims 115-133 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Wagner in view of Mason, further in view of Davis, and further in view of Official Notice.

A.   **Cited References**

Wagner relates to distribution of classified advertisements on multiple devices. Wagner, Abstract. Mason relates to "obtaining Internet-type advertisements to fit designated advertising spaces allotted by a plurality of different and unrelated online newspaper websites, and automatically placing those advertisements." Mason, Abstract. Mason does disclose that an advertising agency is provided with access to the GNI system, but the advertiser does not have ability to view and manage all the features of multiple ad campaigns as claimed. *Id.* at Col. 5, ll. 35-37. Davis relates to influencing a position on a search result list. Davis, Abstract.

B.   **Combination of Mason with Davis is Improper**

Davis should not be combined with Mason because Davis states that "current paradigms for generating web site traffic, such as banner advertising, follow traditional advertising

Ser. No.: 10/700,837

BHGL Ref. No. 12729/38
Yahoo! Ref No. Y00239US01

paradigms and fail to utilize the unique attributes of the Internet." Davis, Col. 3, ll. 15-19. Further, Davis states that "impression-based advertising inefficiently exploits the Internet's direct marketing potential, as the click-through rate, the rate of consumer visits a banner generates to the destination site, may be quite low." *Id*. at Col. 3, ll. 30-33. Conversely, Mason relates to placing and purchasing internet advertisements, including banner advertisements. Mason, Col. 3, ll. 43-56. Mason describes that its system displays banner ads and "that banner ads can be placed on any portion of a website and are most typically configured to 140 by 800 pixels, 86 by 60 pixels, 468 by 68 pixels, 184 by 90 pixels, 125 by 125 pixels and 234 by 60 pixels." *Id*. at Col. 3, ll. 44-50. As described, the advertising system in Mason is opposite the search result ranking system in Davis, and Davis explicitly describes advertising, such as banner advertisements in Mason, as a failure.

C.   **Claims 95-133 Are Not Obvious in View of the Cited References**

Wagner establishes a system for generating and managing online classified advertisements. Wagner, ¶2. "The online classified advertisement system, according to the principles of the present invention, provides for substantially simultaneously formatting and pricing the advertisement information for the multiple distribution channels and devices." *Id*. at ¶7. Accordingly, Wagner provides a system for displaying a classified advertisement in multiple locations, such as a newspaper, computer, PDA, and/or mobile phone. *Id*. at Fig. 3. "The method includes receiving a classified advertisement from an advertiser to be distributed to at least one of multiple device types [where the] classified advertisement may be substantially simultaneously formatted for at least two of the device types." *Id*. at ¶8.

Conversely, the claims relate to a self-serve interface for advertisers to establish and modify multiple ad campaigns. The advertiser can manage multiple ad campaigns through the self-serve interface by selecting advertisements, creating advertisements, selecting a time or date for displaying selecting ads, selecting a budget or an amount to spend on the ad campaign, such as a maximum amount that is reduced by each impression or conversion of the displayed advertisements. A management screen from the self-serve interface further allows the advertiser to view and/or edit the selection of ads, the creation of ads, the selecting of a time or date for display, and the selection of a budge or amount to spend for each of the ad campaigns.

Claims 95-133 recite the establishment and management of multiple ad campaigns for a single online account. The combination of Wagner, Mason, and Davis fail to disclose the claimed self-serve interface for setting up and managing multiple ad campaigns for a single online account. As described above, Wagner discloses setting up a plurality of classified advertisements on different devices (e.g. newspaper, PC, PDA, phone), but does not relate to establishing multiple ad campaigns as claimed. *Id*. at Fig. 3 and ¶¶34-35. Further, the combination does not disclose that the multiple ad campaigns can have the same advertisements in each campaign as claimed. Conversely, Wagner discloses that each classified advertisement is its own advertisement. *Id*.

Claims 95-133 further recites a management screen that allows the advertiser to select and modify one of the plurality of ad campaigns. As discussed, the combination fails to disclose the establishment of multiple ad campaigns. In addition, the combination does not provide a management screen for choosing between and modifying those campaigns. Assuming that the classified ad in Wagner that is displayed in different locations is an ad campaign, there is no disclosure of multiple ad campaigns for one online account, or a management screen for choosing between and modifying those campaigns.

Claims 95-114 further recites that the advertiser can view and edit the selection of ads, dates, or the budget in real-time. The combination of Wagner, Mason, and Davis discloses setting up classified advertisements in an order entry system. Wagner, Figure 3, ¶34. However, the system in Wagner includes an advertisement that is displayed in multiple locations, including in a newspaper. *Id*. at Figure 3. It is not possible to edit a newspaper classified advertisement in real-time. Conversely, the claims recite a self-serve interface with a management screen that allows for real-time viewing and editing of advertisements from multiple ad campaigns.

Claims 115-133 further recite that a selection of one or more available advertisements to be included in the ad campaign is received from the advertiser and that those available advertisements comprise existing advertisements and a created advertisement. The combination of Wagner, Mason, and Davis fail to disclose selecting advertisements for the campaign including a created advertisement and existing advertisements. Conversely, Wagner discloses generating a classified advertisement and doesn't provide other options for creating advertisements and choosing from existing advertisements. Wagner, Figure 3.

Ser. No.: 10/700,837

BHGL Ref. No. 12729/38
Yahoo! Ref No. Y00239US01

Dependent claims 103 and 122 relate to advertisement review where the campaign status is suspended when the advertisements are rejected and the campaign status is active when the advertisements are accepted. The combination of Wagner, Mason, and Davis fails to disclose the change in status based on the review as in claims 103 and 122. In particular, Mason discloses a review of advertisements, but not a change in status of the campaign. Mason, Col. 3, ll. 35-42. "[Advertisements] are displayed on a computer screen of at least one person responsible for the quality of those [advertisements]." *Id.* at Col. 3, ll. 38-40. The advertisements are "displayed on the computer screen of somebody such as the art director for final approval." *Id.* at Col. 5, ll. 55-57. Although, Mason discloses the review of individual advertisements, there is no disclosure of a change in status between active and suspended as claimed.

The Office Action states that Official Notice has been taken regarding dependent claim 108 and the recitation of receiving a request for an automatic payment plan that automatically replenishes the amount of funds when the amount drops below a predetermined threshold. However, none of the cited references disclose the features from dependent claim 108, and the rejection is based on personal knowledge. In view of this rejection, the Applicant respectfully requests that the Examiner provide an affidavit to which the Applicant may respond, see 37 CFR § 1.104(d)(2) (indicating that when a rejection is based on facts within the personal knowledge of the Examiner, the Applicant may request the Examiner provide a supporting affidavit which shall be subject to contradiction or explanation).

Ser. No.: 10/700,837

BHGL Ref. No. 12729/38
Yahoo! Ref No. Y00239US01

III. CONCLUSION

Applicants submit that the pending claims are in condition for allowance and notice to this effect is respectfully requested. The Examiner is invited to call the undersigned if it would expedite the prosecution of this application.

Respectfully submitted,

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Date

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